United Nations S/2014/96

Security Council

Distr.: General
13 February 2014

Original: English

France and Nigeria: draft resolution

The Security Council,

Recalling its resolutions and the statements of its President on Burundi,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Burundi,

Welcoming the continued progress that Burundi has made towards peace, stability and development and *emphasizing* the need for the United Nations system and the international community, including the international financial institutions and Burundi's development partners, to maintain their support for peace consolidation and long-term development in Burundi,

Commending the continued contribution of the United Nations Office in Burundi (BNUB) and the United Nations system to the country's peace, security and development,

Welcoming the organization in 2013 by BNUB and the United Nations system, in close coordination with the Government of Burundi, of several Electoral Lessons Learned workshops and the adoption of an electoral roadmap in March 2013, and *calling upon* the Government of Burundi and all political parties to fully implement this roadmap and its recommendations,

Encouraging further efforts from the Government of Burundi to ensure a space for all political parties, including from the extra-parliamentary opposition, and to continue improving dialogue between all relevant actors, including civil society, with a view to ensure a conducive, free and open environment for the run up to the 2015 elections,

Reiterating the need for inclusive and broad-based consultations in the spirit of the 2000 Arusha Agreement, and *welcoming* in this regard the inclusive and constructive consultations held on 19 and 20 December 2013 in Kigobe on issues related to the Constitutional review process,

Expressing concern for limitations on the freedom of press, of expression, of association and of assembly for opposition political parties, and for media and civil society organizations, especially in the run up to the 2015 elections,

Noting the efforts made by the Government of Burundi to improve the human rights situation in Burundi, and *remaining concerned by* continued human rights violations and abuses, in particular reported extrajudicial killings, mistreatment of detainees and torture, and restrictions on civil liberties, notably acts of intimidation,

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harassment and violence committed by youth groups, and *recalling* that there should be no impunity for those responsible for these violations and abuses,

Underscoring the importance of transitional justice mechanisms in promoting lasting reconciliation among all the people of Burundi, *taking note* that no significant progress has been made towards the establishment of a Truth and Reconciliation Commission since the draft law was submitted to Parliament in December 2012 as stated in the Secretary-General's report, and *recalling* in this context the commitment of the Government of Burundi to establishing transitional justice mechanisms consistent with the results of the 2009 national consultations, Security Council resolution 1606 (2005) as well as the Arusha agreement of 28 August 2000,

Recalling that Burundi is a State Party to the Rome Statute of the International Criminal Court since 2004, and has undertaken obligations to fight impunity for crimes falling within the jurisdiction of the Court, and emphasizing that the International Criminal Court is complementary to the national criminal jurisdictions,

Stressing the importance of land issues for a lasting peace and security in Burundi, *noting* the commitment of the Government to addressing this complex issue, and *encouraging* the Government of Burundi and the Commission Nationale des Terres et autres Biens (CNTB) to handle land grievances and disputes in a non-partisan manner and to also address land tenure in the broader context of socioeconomic development, bearing in mind the need to foster reconciliation and national cohesion, especially in the run up to the 2015 elections,

Supporting the renewed commitment of Burundi to "zero tolerance" for corruption,

Welcoming the continued engagement of the Burundi Configuration of the Peacebuilding Commission, *encouraging* the continued constructive cooperation between the Government of Burundi and the Peacebuilding Commission, and *acknowledging* the contribution that the Peacebuilding Fund has made to peacebuilding efforts in Burundi,

Supporting the continued commitment of Burundi to regional integration and cooperation with neighbours, notably through the Economic Community of Great Lakes Countries (CEPGL), the East African Community (EAC), and the International Conference on the Great Lakes Region (ICGLR),

Recalling its resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013) and 2122 (2013) on women and peace and security, its resolutions 1674 (2006) and 1894 (2009) on the protection of civilians in armed conflicts and its resolutions 1612 (2005), 1882 (2009), 1998 (2011) and 2068 (2012) on children and armed conflict,

Having considered the latest report of the Secretary-General on BNUB (S/2014/36) and, in particular, the conclusions of the Strategic Assessment Mission and the analysis it contains of progress and remaining challenges in relation to the benchmarks transmitted to the Security Council by the Secretary-General pursuant to resolutions 1959 (2010), 2027 (2011) and 2090 (2013),

Having also considered the request of the Government of Burundi, in particular the statement of its Minister of Foreign Affairs and International Cooperation to the Security Council on 28 January 2014 regarding the transition of

BNUB to a regular United Nations Country Team by 31 December 2014 and *further noting* its request for a United Nations electoral observer mission before, during and after the 2015 elections in Burundi,

1. *Extends* until 31 December 2014 the mandate of BNUB, requesting it, consistent with paragraphs 3 (a) to (d) of the resolution 1959 (2010) and 2 (a) and (b) of the resolution 2027 (2011), to focus on and support the Government of Burundi in the areas (a) to (e) of paragraph 1 of resolution 2090 (2013);

2. *Requests* the Secretary-General to prepare BNUB's transition and the transfer of appropriate responsibilities to the United Nations Country Team by 31 December 2014 and to provide an update on this process in his written interim report to the Security Council;

3. *Encourages* BNUB, the Government of Burundi, the Peacebuilding Commission and bilateral and multilateral partners to form a transition steering group to map the international community's support to Burundi, in particular the transfer of functions currently provided by BNUB which may be needed after the Mission's planned drawdown, and *requests* the Special Representative of the Secretary-General to finalize a transition plan by the 15 May 2014;

4. *Encourages* the Government of Burundi to engage in discussions on the nature, activities and scope of the United Nations role post-BNUB in coordination with BNUB, the United Nations Country Team, multilateral and bilateral partners, the Peacebuilding Commission, and other relevant stakeholders;

5. *Encourages* the United Nations Country Team and its component United Nations agencies to scale up their activities and programming during BNUB's transition and after the termination of its mandate and factor such activities into the United Nations Development Assistance Framework, and urges the Secretary-General to ensure there is a seamless transition to the Resident Coordinator and United Nations Country Team management model as BNUB departs;

6. *Takes note* of the request of the Government of Burundi for a United Nations electoral observer mission before, during and after the 2015 elections in Burundi *and requests* the Secretary-General to establish such a mission to follow and report on the electoral process in Burundi immediately at the end of BNUB's mandate, and *further requests* this mission to report to the Secretary-General and the Secretary-General to the Security Council before, during and after the 2015 elections;

7. *Encourages* the Government of Burundi to cooperate fully with the United Nations Country Team and with the United Nations electoral mission that is to be established;

8. *Recognizes* the primary responsibility of the Government of Burundi for peacebuilding, security, protection of its population and long-term development in the country, and *encourages* the Government of Burundi to continue its efforts regarding peace consolidation challenges, in particular democratic governance, the fight against corruption, security sector reform, civilian protection, justice and the promotion and protection of human rights, with a special focus on the rights of women and children as well as people belonging to ethnic minorities;

9. *Encourages* the Government of Burundi with the support of BNUB and other international partners to redouble its efforts to pursue structural reforms aimed

at improving political, economic and administrative governance and tackling corruption, with a view to setting up strong drivers for sustained and equitable social and economic growth;

10. *Further encourages* the Government of Burundi, with the support of BNUB and other international partners, and while recognizing Burundi's prerogatives to adapt its organic law, to ensure that any constitutional review is undertaken in a constructive atmosphere and in a broad-based and inclusive manner, with the participation of political parties and relevant stakeholders, according to the letter and the spirit of the Arusha agreement of 28 August 2000;

11. *Calls upon* the Government of Burundi to foster inclusive elections in 2015 by continuing to improve dialogue between all national actors, including civil society, and to guarantee a space for all political parties, including from the extra-parliamentary opposition, to exercise their freedom to organize and prepare themselves for the 2015 elections, and *further calls upon* the Government to ensure full and effective participation of women at all stages of the electoral process;

12. *Calls upon* the Government of Burundi to pursue its efforts to ensure the promotion and protection of human rights and, together with its international partners, to support and strengthen the capacities of the National Independent Human Rights Commission and the Office of the Ombudsman in accordance with General Assembly resolution A/RES/48/134 on national institutions for the promotion and protection of human rights, and *further calls upon* the Government to continue its fight against impunity and to take the necessary measures to ensure the full enjoyment of civil, political, social, economic and cultural rights as enshrined in the Constitution of Burundi and in accordance with its obligations under international law;

13. *Calls upon* the Government of Burundi to take further necessary steps to prevent human rights violations, in particular reported extrajudicial killings, mistreatment of detainees and torture, and restrictions on civil liberties, as well as acts of harassment, intimidation and violence committed by youth groups, limitations on the freedom of press, of expression, of association and of assembly of opposition political parties, media and civil society organizations, and to ensure that such human rights violations and restrictions of civil liberties are put to an end;

14. *Calls upon* the Government of Burundi to take measures to fight impunity and support thorough, credible, impartial and transparent investigations, including by reinforcing the protection of victims, of their relatives and of witnesses, and to intensify efforts to ensure that those responsible for human rights violations and abuses as well as restrictions on civil liberties are held accountable;

15. *Calls upon* the Government of Burundi to work with international partners and BNUB for the establishment of transitional justice mechanisms, including a credible and consensual Truth and Reconciliation Commission to help foster an effective reconciliation of all Burundians and durable peace in Burundi, in accordance with the results of the work of the Technical Committee, the 2009 national consultations, Security Council resolution 1606 (2005) as well as the Arusha agreement of 28 August 2000;

16. *Encourages* the Government of Burundi to pursue its efforts of peace consolidation and reconstruction in a regional perspective, especially through projects fostering peace, reconciliation and exchanges within the East African

Community, the Economic Community of the Great Lakes Countries and the International Conference on the Great Lakes Region;

17. *Further encourages* the Government of Burundi, with the support of international partners as appropriate, to ensure the voluntary, safe and orderly return and sustainable reintegration of refugees to Burundi;

18. *Underscores* the importance of security sector reform, *welcomes* Burundi's contribution and active participation to United Nations and African Union peacekeeping operations, and *urges* all international partners, together with BNUB, to continue supporting Burundi's efforts to professionalize and enhance the capacity of the national security services and the police, in particular through vetting for human rights violations, training on human rights and sexual and gender-based violence and promoting strong civilian oversight and monitoring, with the view to consolidating security sector governance;

19. *Calls upon* the Government of Burundi, with the support of the Peacebuilding Commission and international partners, to honour its commitments on peacebuilding priorities as defined in the Poverty Reduction Strategy Paper (PRSP-II), and *underscores the importance* that international partners, in collaboration with the Government of Burundi, and with the support of BNUB, the United Nations system in Burundi and the Peacebuilding Commission, continue to support Burundi's development efforts and ensure effective follow-up of mutual commitments taken at the Geneva Conference of Development Partners and at subsequent follow-up conferences to allow implementation of the PRSP-II and support the implementation of the new United Nations Development Assistance Framework (UNDAF);

20. *Requests* the Secretary-General to keep the Council informed on the benchmarks, the implementation of the mandate of BNUB and this resolution, and the conditions that affect such implementation, as well as on BNUB's transition to the United Nations Country Team, every 90 days, with a written interim report by the end of July 2014 and a final report by 16 January 2015, and *further requests* the Secretary-General to report every six months to the Security Council until after the 2015 elections;

21. *Decides* to remain actively seized of the matter.

United Nations A/68/763–S/2014/97

General Assembly
Security Council

Distr.: General
21 February 2014
English
Original: Arabic

General Assembly
Sixty-eighth session
Agenda items 35 and 52

Security Council
Sixty-ninth year

The situation in the Middle East

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Identical letters dated 12 February 2014 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

During his visit to the occupied Syrian Golan on 31 January 2014, the Minister for Foreign Affairs of the Israeli entity made statements that reflected an insolent approach to the events in Syria and utter disdain for all United Nations resolutions on ending the Israeli occupation of the Syrian Golan and all other Arab territories occupied by Israel since 1967. He called for Israeli sovereignty over the Golan Heights to be settled within the framework of Israeli-Palestinian negotiations and the events in Syria, and stated that that comprehensive deal must include an understanding between Israel, the international community and, first and foremost, the United States of America, that the Golan was an integral part of the State of Israel. Mr. Liberman claimed that, because of the security concerns relating to Israel's ability to defend the north of the country, the international community should recognize Israeli sovereignty over the Golan Heights.

It appears that Israel, the occupying Power, is not content merely to provide direct support for armed terrorist groups in Syria, but now deludes itself that it can exploit its support for the terrorist war against Syria to realize its expansionist aspirations and legitimize its occupation of the Syrian Golan, thereby blatantly disregarding all of the authoritative international resolutions on ending the Israeli occupation of the Syrian Golan, including Security Council resolution 497 (1981).

Those statements compel us to emphasize that, politically, legally and morally, it is unacceptable that Israel should be allowed to persist in its contemptuous refusal to implement United Nations resolutions on ending the Israeli occupation of the Syrian Golan and the other occupied Arab territories, including Security Council resolution 497 (1981). We remind concerned parties that, in resolution 497 (1981), the Security

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Council affirmed that the Israeli decision of 14 December 1981 to impose its laws, jurisdiction and administration in the occupied Syrian Golan was null and void and without legal effect, a stance that the General Assembly has reaffirmed annually in relevant resolutions. The most recent one, resolution 68/84, states that Israel has not yet complied with Security Council resolution 497 (1981) and that the Israeli decision of 14 December 1981 is null and void and without legal effect. It calls on Israel, the occupying Power, to rescind that decision. In paragraph 6 of its resolution 68/17, the General Assembly demands once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions.

Forty-seven years have passed since Israel occupied the Syrian Golan. Hundreds of authoritative international resolutions have been adopted demanding an end to the occupation and to Israel's racist and inhuman policies, intensive settlement-building activities and systematic killings of civilians in the occupied Arab territories. The resolutions have condemned Israel's daily repressive practices and its blatant violations of all international instruments. Nevertheless, Israel continues to ignore all international resolutions and demands. Indeed, Mr. Liberman's statement underscores Israel's flagrant and growing disdain for Security Council and General Assembly resolutions. Protected by its supporters on the Security Council, Israel continues to disregard international law, and does so with impunity.

The Government of the Syrian Arab Republic draws the attention of the Secretary-General and the President of the Security Council to those inflammatory statements and the concomitant hostile practices. It calls upon the United Nations, and particularly the Security Council, to take the necessary action to ensure compliance with its resolutions and prevail on Israel to end its occupation of the Syrian Golan and withdraw to the line of 4 June 1967. Syria reiterates that the United Nations continues to treat the Israeli occupation of the Syrian Golan as a routine matter and takes no action to enforce Security Council resolutions. This perpetuates the anomalous situation that prevails in our region, and undermines the credibility of the United Nations as a whole and its resolutions, strengthening the position of those who accuse the Organization of double standards in its dealings with the region and regional issues.

I should be grateful if you would have the text of the present letter circulated as a document of the General Assembly, under agenda items 35 and 52, and of the Security Council.

(*Signed*) Mazen **Adi**
Counsellor
Chargé d'affaires a.i.

United Nations S/2014/98

Security Council

Distr.: General
13 February 2014

Original: English

Letter dated 13 February 2014 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 2127 (2013) concerning the Central African Republic. By paragraph 59 of the resolution, the Council requested me to create a Panel of Experts for an initial period of thirteen months, in consultation with the Security Council Committee established pursuant to resolution 2127 (2013) concerning the Central African Republic, and to make the necessary financial and security arrangements to support the work of the Panel.

By paragraph 41 of resolution 2134 (2014), the Council extended the mandate of the Panel of Experts for a period of one year from the adoption of the resolution (until 27 January 2015).

Accordingly, I wish to inform you that, after consulting with the Committee, I have appointed the following experts:

Mr. Ruben de Koning, Netherlands (finance/natural resources);

Mr. Paul-Simon Handy, Cameroon (regional);

Mr. Ahmed Himmiche, Morocco (arms);

Mr. Aurélien Llorca, France (armed groups);

Ms. Carolina Reyes Aragon, Colombia (humanitarian).

I have also designated Mr. Llorca to serve as Coordinator of the Panel of Experts.

(*Signed*) **BAN** Ki-moon

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United Nations S/2014/99

Security Council

Distr.: General
14 February 2014

Original: English

Letter dated 13 February 2014 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit herewith a letter dated 3 February 2014 from Smaïl Chergui, Commissioner for Peace and Security of the African Union Commission, attached to which is a communiqué on the situation in the Central African Republic adopted by the Peace and Security Council of the African Union at its 416th meeting, held on 29 January 2014 in Addis Ababa.

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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Annex

The situation in the Central African Republic continues to be of utmost concern to the African Union, the United Nations and, indeed, the rest of the international community.

Since taking over from the Mission for the Consolidation of Peace in the Central African Republic, on 19 December 2013, and building on the achievements of the latter, the African-led International Support Mission in the Central African Republic (MISCA) has continued to make sustained efforts in the implementation of its mandate.

While the challenges ahead remain daunting, MISCA, with the support of the French forces of the Sangaris operation, has recorded significant gains towards the stabilization of the security situation and the creation of conditions conducive to a successful transition.

It is against this background that the African Union Peace and Security Council considered the situation in the Central African Republic at its 416th meeting, held at the level of Heads of State and Government, on 29 January 2014. On behalf of the Chair of the Commission, Nkosazana Olamini Zuma, I am forwarding herewith the communiqué adopted by the Peace and Security Council at the end of that meeting (see enclosure). I would be most grateful if you could kindly circulate it to the members of the Security Council for their information and action as may be appropriate.

I would like to seize this opportunity to reiterate the African Union's deep appreciation to the United Nations for its continued support to MISCA. In this respect, the African Union deeply appreciates the secondment of United Nations experts to the Mission.

(*Signed*) Smaïl **Chergui**
Ambassador
Commissioner for Peace and Security

Enclosure

[Original: English and French]

The Peace and Security Council of the African Union (AU), at its 416th meeting held on 29 January 2014, adopted the following decision on the situation in the Central African Republic (CAR):

Council,

1. Takes note of the report of the Chairperson of the Commission on the situation in the Central African Republic and the activities of the African-led International Support Mission in the Central African Republic — MISCA [PSC/AHG/3(CDXVI)], as well as of the statement made by the Chairman of the Economic Community of Central African States (ECCAS);

2. Recalls communiqué PSC/PR/COMM(CCCLXIII) adopted at its 363rd meeting held on 25 March 2013, condemning the illegal seizure of power by the Seleka group and the resulting unconstitutional change of Government, as well as its subsequent communiqués and press statements on the situation in the CAR, including communiqué PSC/AHG/COMM.2 (CDXI), adopted at its 411th meeting held in Banjul, The Gambia, on 30 December 2013;

3. Pays tribute to the current Chairman of the ECCAS and the Chairman of the ECCAS Follow-up Committee on the CAR, Presidents Idriss Déby Itno of Chad and Denis Sassou Nguesso of the Republic of Congo, respectively, and the other leaders in the region, for their continued commitment to peace, security and stability in the CAR. Council notes with satisfaction the important decisions taken by the ECCAS Extraordinary Summit held in Ndjamena, on 9 and 10 January 2014, reaffirms the leading role of the current Chairman of the ECCAS and the Chairman of the Follow-up Committee in the political support to the transition, and expresses its full support for their efforts. Council urges the international community as a whole, including the United Nations, to provide all necessary support to the efforts of the leaders of the region to facilitate an effective international action in support of the CAR;

4. Expresses its concern about the security, humanitarian and human rights situation in the CAR, particularly the persistence of attacks against civilians in different parts of the CAR territory, despite the undeniable progress made on the ground thanks to the action of MISCA and the French Forces of Operation Sangaris. Council notes with deep concern the heightened religious and inter-communal tensions arising from abuses carried out by various armed groups, particularly the ex-Seleka and anti-Balaka groups;

5. Demands that all concerned CAR stakeholders, including the leaders of former Seleka and the anti-Balaka group and officials of the regime of former President François Bozizé, to unequivocally call on their supporters to put to an immediate end to attacks against civilians and any other action that may undermine efforts aimed at restoring peace, security and stability in the CAR and to promote reconciliation. Council calls upon the Commission to review and adjust, as necessary, the list of individuals targeted by sanctions, as annexed to its communiqué PSC/PR/COMM(CCCLXIII);

6. Welcomes the imposition by the Security Council, for an initial period of one year, of an arms embargo on the CAR, in accordance with the relevant provisions of United Nations Security Council resolution 2127 (2013) of 5 December 2013. Council also welcomes the decision of the Security Council to impose, for an initial period of one year, travel restrictions and freezing of assets on individuals and entities designated by the Sanctions Committee established by the Security Council in conformity with paragraph 57 of resolution 2127 (2013). Council requests the Commission and MISCA, as well as all Member States, to provide all necessary support to the Panel that the UN Secretary-General will establish pursuant to paragraph 59 of resolution 2127 (2013);

7. Welcomes the establishment, on 22 January 2014, of an International Commission of Inquiry to shed light on violations of human rights and the International Humanitarian Law in the CAR since 1 January 2013, and requests MISCA to provide, as appropriate, necessary support to this Commission. Council welcomes the deployment by the Commission of a first group of human rights observers within MISCA and requests the African Commission on Human and Peoples' Rights to take all necessary steps to contribute to the promotion and observance of human rights in the CAR and to submit to it a special report to this end;

8. Stresses the primary responsibility of the CAR actors to end violence, stabilize the security situation, promote national reconciliation and find a lasting solution to the multidimensional challenges facing their country. Council further stresses the need for the speedy convening of the National Reconciliation Conference provided for in the communiqué of the ECCAS Extraordinary Summit held on 9 and 10 January 2014, and requests the ECCAS General Secretariat and the Commission to provide, to this end, all necessary support to the Mediator and the CAR parties;

9. Welcomes the establishment, on 16 December 2013, of the National Elections Authority (ANE), the support already extended by the partners and the steps taken by MISCA to secure the premises of the ANE and calls for the mobilization of additional support for the ANE. Council also welcomes the election, on 20 January 2014, by the National Transitional Council (CNT), of Ms. Catherine Samba-Panza as Head of State of the Transition, as well as the subsequent appointment of a Prime Minister in the person of Mr. Andre Nzapayeke, and the formation of a new Government. Council expresses the hope that these measures will make it possible to re-launch the Transition and ensure its conclusion within the agreed time frame;

10. Reiterates its appreciation to MISCA and its leadership for the efforts being made with the support of the French Sangaris Operation in a particularly challenging environment, welcomes the significant results already achieved in restoring security in Bangui and in the stabilization of the country, and urges MISCA to pursue the action initiated. Council thanks the MISCA Troop and Police Contributing Countries (TCCs and PCCs) of MISCA, and urges the Commission to pursue its efforts towards the generation of additional troops on the basis of the procedures in force as regard to AU peace support operations and within the strict limit of the Mission's authorized strength. Council requests the TCCs and PCCs to lend the necessary cooperation to this end;

11. Urges all the AU Member States to seize the opportunity of the Donors' Conference scheduled in Addis Ababa on 1st February 2014, in conformity with the relevant provisions of UN Security Council resolution 2127 (2013) to contribute to the funding of MISCA. Council, recalling communiqué PSC/AHG/COMM.2(CDXI) and taking note of the letter addressed on 17 January 2014 by the Chairperson of the Commission to the members of the Peace and Security Council, requests all its members to contribute to the budget of MISCA;

12. Reiterates its appreciation to the AU partners which already support MISCA, namely the United States, France and the European Union (EU), notes with satisfaction the technical support provided by the United Nations in conformity with paragraph 37 of Security Council resolution 2127 (2013) of 5 December 2013, as well as the contributions already made to the Trust Fund established by the UN Secretary-General pursuant to paragraph 43 of resolution 2127 (2013), by Canada and Luxembourg, and the pledges made by Japan and the United Kingdom. Council reiterates its appeal to all the AU partners to participate in the Donors Conference, contribute to the funding of MISCA and provide all other necessary support to enable the Mission to effectively carry out its mandate;

13. Stresses the need to ensure that all international efforts are geared towards the strengthening of MISCA and the mobilization of the necessary resources in its favour, to enable it to effectively discharge its mandate and pave the way for the possible deployment of a UN peacekeeping operation, in conformity with the relevant provisions of resolution 2127 (2013). Council takes note of the mission that an integrated team of the UN Peacekeeping Operations Department will undertake to the CAR, from 4 to 15 February 2014, to enable the Secretary-General to carry out the assessment provided for by resolution 2127 (2013) and to make, as soon as possible, recommendations to the Security Council on the transformation, in due course, of MISCA into a UN peacekeeping operation, including an assessment of the progress made to meet the necessary conditions for such a deployment. Council welcomes the participation of the Commission in this assessment, and looks forward to receiving on time an update on the outcome of the assessment, to enable it to rapidly pronounce itself on the issue;

14. Urges all international actors concerned to maintain close consultations with the Commission and the region about their initiatives in order to ensure the necessary harmonization, and enhance the effectiveness of the African efforts in the CAR. In this respect, Council stresses the imperative for BINUCA, Sangaris Operation and the planned EU force to closely coordinate their efforts with MISCA;

15. Takes note of the decision adopted, on 20 January 2014, by the Foreign Affairs Council of the EU to launch a military operation in the CAR, within the framework of the Common Defense and Security Policy in support of MISCA and reiterates its deep appreciation to the EU for its commitment to enhance its support to the African force and the political efforts of the region. Council also takes note of the authorization given by the Security Council to this operation, through resolution 2134 (2014) of 28 January 2014. Council welcomes the consultations between the AU and the EU on the areas where MISCA needs support and the manner in which the European operation should be configured to enable it effectively to support MISCA in the fulfilment of its mandate, and requests the Commission to submit regular updates on the matter;

16. Welcomes the convening in Brussels, on 20 January 2014, of a high-level conference on the humanitarian situation in the CAR, and stresses the need for the speedy concretization of the commitments made. Council appeals to the international community to support the efforts of the neighbouring countries which host Central African refugees;

17. Decides to remain actively seized of the matter.

United Nations S/2014/100

Security Council

Distr.: General
13 February 2014

Original: English

Letter dated 13 February 2014 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the attached note verbale dated 12 February 2014 from the Permanent Observer Mission of the African Union to the United Nations, transmitting the progress report on the implementation of the mandate of the African Union Mission in Somalia (AMISOM), pursuant to paragraph 8 of Security Council resolution 2093 (2013) (see annex), in which the Council requested the African Union to keep it regularly informed on the implementation of the mandate of AMISOM.

I would be grateful if you would bring the present communication and its attachments to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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Annex

The Permanent Observer Mission of the African Union to the United Nations presents its compliments to the Executive Office of the Secretary-General and, with reference to the note verbale dated 5 February 2014 addressed by the Commission of the African Union to the United Nations Office to the African Union (UNOAU), has the honour to transmit a revised version of the progress report on the implementation of the mandate of the African Union Mission in Somalia (AMISOM), pursuant to paragraph 8 of Security Council resolution 2093 (2013).

Enclosure

[Original: English]

Progress report on the implementation of the mandate of the African Union Mission in Somalia pursuant to paragraph 8 of United Nations Security Council resolution 2093 (2013)

I. Introduction

1. The present report is submitted pursuant to paragraph 8 of United Nations (UN) Security Council resolution 2093 (2013), in which the Council requested the African Union (AU) Commission to keep it regularly informed of the implementation of the mandate of the AU Mission in Somalia (AMISOM). It should be recalled that, on 11 October 2013, the Commission brought to the attention of the United Nations the communiqué adopted by the 399th meeting of the Peace and Security Council (PSC) held on 10 October 2013, on the AU-United Nations Joint Review of AMISOM and benchmarking exercise regarding the possible deployment of a United Nations operation. The present report provides an update on the main developments that took place in Somalia during the period under review, the implementation of AMISOM mandate and other related aspects, as well as steps being taken by the AU to implement Security Council resolution 2124 (2013). The report concludes with observations on the way forward.

II. Major developments

Political situation

2. Somalia is continuing its recovery even though the process remains fraught with challenges. The Federal Government of Somalia (FGS) has pursued its efforts towards the implementation of the Six-Pillar Plan, which was launched in November 2012. As the Security Council would recall, the Plan revolves around the following elements: good governance, economic recovery, social reconciliation, service delivery, building collaborative international relations, and the unity and integrity of the country. Since its inception just over a year ago, the FGS has registered significant progress in security, public finance management, reconciliation, political outreach and in laying foundations of good governance with appropriate legislations in place. In addition, on 16 September 2013, following nationwide consultations, the FGS and the international community reached an agreement on the New Deal Compact outlining Peace building and State-building Goals (PSGs), namely inclusive Politics, Security, Justice, Economic Foundation and Revenue and Services, with respective strategic objectives and key priority areas of focus for support for the next three years.

3. Among the major developments of the period under review, it is worth mentioning the launching, in Mogadishu, from 2 to 6 September 2013, of the Vision 2016 Conference. This Conference adopted recommendations on the review and implementation of the Provisional Constitution, the transition to democratic legitimacy, and the finalization of the Constitution by way of a referendum by December 2015.

4. Another milestone was reached with the Agreement signed, on 28 August 2013, between the FGS and the Interim Jubba Administration (IJA), under the mediation of Ethiopia as the Chair of the Intergovernmental Authority on Development (IGAD).

However, on 31 August 2013, the Council of Traditional Elders from the Digil and Mirifle clan issued a statement in Baidoa describing the Addis Ababa Agreement as unconstitutional and claiming that it did not take into consideration the aspirations of their community. Meanwhile, President Hassan Sheikh Mohamud made a historic visit to Kismayo, from 30 to 31 October 2013, which was followed by the Jubba Regions Reconciliation Conference, held in Mogadishu, from 3 to 6 November 2013. President Hassan Sheikh Mohamud, the IJA and representatives of retired Colonel Barre Hirale also reached an agreement on 6 November 2013, paving the way for the disarmament, demobilization and eventual integration of Colonel Barre Hirale's militia. The Special Representative of the Chairperson of the Commission (SRCC) for Somalia and Head of AMISOM, Ambassador Mahamat Salah Annadif, following consultations with stakeholders, reached an understanding for the FGS, IJA and AMISOM to establish a technical committee that is expected to look into practical modalities for the reception of Colonel Barre Hirale's militias. On 21 January 2014, the IJA was formally inaugurated, marking a major milestone in the implementation process of the Addis Ababa Agreement.

5. In the Bay region, the Digil and Mirifle clan continued their reconciliation conference, with the hope that at the end of this conference, a regional administration, representing the aspirations of the Digil and Mirifle community will emerge. The Digil and Mirifle community is seeking the creation of a sixth regional state that would include the regions of Bay, Bakool, Lower Shabelle, Gedo, Middle and Lower Jubba. However, this aspiration does not take into account the fact the IJA that is composed of the Gedo, Middle and Lower Jubba regions. On 18 November 2013, the SRCC visited Baidoa. During that visit, he interacted with clan elders and the organizers of the reconciliation conference and urged them to work with the FGS in finding a realistic and durable solution to their problems.

6. On 22 October 2013, the local communities in Hiraan began a conference in Beledweyne aimed at establishing an elected Hiraan Regional Administration. The FGS sponsored conference was however halted due to political disputes that emerged within the executive in Mogadishu.

7. On 12 November 2013, Somalia's Prime Minister Abdi Farah Shirdon announced that there was a rift between him and the President who had asked him to resign from his post. The Prime Minister, however, added that the rift was a constitutional matter rather than a personal rift as was being alleged in public. Consequently, following a motion tabled in Parliament, the lawmakers, on 21 December 2013, voted in favour of the appointment of Abdiweli Sheikh Ahmed as the new Prime Minister, in place of Abdi Farah Shirdon, who had been removed from his post in a vote of no confidence, on 30 November 2013. The new Prime Minister named his cabinet on 17 January 2014 and, on 21 January 2014, Parliament endorsed the cabinet, which is made up of 55 members.

8. On 8 January 2014, the regional state of Puntland successfully held presidential elections, which saw the victory of former FGS Prime Minister Abdiweli Mohamed Ali Gaas, who defeated the incumbent, Abdirahman Mohamed

Farole in votes cast by members of the regional state's Parliament. The new President assumed office on 14 January 2014.

9. In the meantime, the AU Peace and Security Council (PSC) undertook a field visit to Mogadishu, on 25 October 2013. The PSC delegation was led by Djibouti's Permanent Representative to the AU in his capacity as Chairperson of the Council for the month of October 2013. The delegation had a meeting with President Hassan Sheikh Mohamoud, during which they discussed the progress that Somalia has made in recovering from decades of anarchy. The PSC delegation expressed the AU's full support for the efforts of the Somali Government in pursuing peace and reconciliation. On his part, President Mohamoud expressed his Government's appreciation for the support the country had received from the AU, noting that Somalia is hugely indebted to the AU for helping the country emerge from war and for the relative stability it is enjoying. The PSC delegation also toured the AMISOM hospital located at the Halane base, in the southern part of Mogadishu.

Security situation

10. The security situation remains of concern. During the period under review, there have been continued Al Shabaab attacks against civilians, AMISOM and Somali National Security Forces (SNSF), as illustrated by the terrorists' attacks in Nairobi on 21 September 2013, the suicide attacks on 18 October 2013 in Beletweyne on a popular restaurant, the 8 November 2013 attack on the Maka Al Mukarama Hotel in Mogadishu and the 19 November 2013 attack on a police station in Beletweyne near the base of the Djibouti contingent of AMISOM.

11. In addition, long-standing historical clan conflicts resurfaced in Johwar (Middle Shabelle) and Merka (Lower Shabelle). In particular, fighting erupted between the Hawiye-Abgaal and Jareer Bantu in Johwar, leading to the displacement of populations. In Kilometre 50 and Merka, clashes also erupted between the Hawiye-Haber Gedir and Dir-Bilymal militias over power and resources, with resultant displacements also. These clashes are not only posing a challenge for the stabilization of the areas being recovered from Al Shabaab, but are also providing an opportunity for Al Shabaab to strengthen itself as it is skilfully exploiting these divisions by siding with whichever clan is perceived to be the weaker one.

12. During the period under review, AMISOM resumed its operations against Al Shabaab safe havens in the Middle, Lower Juba and Bay regions. The operations are meant to target Al Shabaab training camps and its senior commanders in the tri-border area between Middle Juba, Lower Shabelle and Bay region. On 24 November 2013, AMISOM and the Somalia National Army (SNA) recovered several villages in the Beledweyne district following the fleeing of Al Shabaab fighters from these villages ahead of the arrival of the AMISOM and SNA troops.

13. Meanwhile, conventional Al Shabaab's activities have been concentrated in a zone that lies between the villages of Barawe (Lower Shabelle), Jilib (Lower Jubba), Bardhere (Gedo) and Dinsoor (Bay region). Al Shabaab has also been active in central Somalia, in the regions north of Mogadishu, and the towns surrounding Bulo Burto (Hiran region) and extending west in Bakol region, east to the towns El Bur and El Dheer in Galgadud, and south into rural areas of Middle Shabelle. Furthermore, Al Shabaab is maintaining a presence in the Golis Mountains.

Humanitarian situation

14. The humanitarian situation is still a formidable challenge. It has worsened in Puntland and the Middle Shabelle region, as a result of heavy rains in these areas, leading to the displacement of populations. While President Hassan Sheikh Mohamud has called for urgent relief assistance from the international community, response has so far been both slow and inadequate. On its part, AMISOM donated 33 boxes of assorted drugs to the FGS as part of its relief efforts and is currently housing, at is base in Jowhar, 11,375 Internally Displaced People (IDPs), in dire conditions.

III. AMISOM deployment and activities

15. The force strength of AMISOM military component deployed across the four sectors stands at 22,056, out of the authorized 22,126, due to rotations. The troop in theatre are composed as follows: 6,220 Ugandan soldiers; 5,338 Burundian soldiers; 3,664 Kenyan soldiers; 1,000 Djiboutian soldiers; 850 Sierra Leoneans; 75 Force Headquarters Staff Officers, and 4,395 Ethiopian troops, who integrated AMISOM command and control on 1 January 2014. The strength of the police component stands at 514 consisting of 230 Individual Police Officers (IPOs), 279 elements in the Formed Police Units (FPUs) from Nigeria and Uganda, as well as 5 officers that make up the Police Senior Leadership Team (SLT). A detachment of 12 IPOs each has been deployed in Baidoa and Baletwyne, while another detachment of 12 IPOs is on standby for deployment to Kismayo. The civilian personnel strength includes 52 local and international staff, as well as 45 Somali Language Assistants supporting the Mission.

16. In addition to providing support to the FGS in recovering territory from Al Shabaab control, AMISOM continues to work closely with the FGS in activities aimed at extending state authority, specifically, AMISOM has been engaged with clan elders in Baidoa and Kismayo (the Sambara Clans in Jilib and Sacco) with the view to encouraging community level dialogue and reconciliation.

17. Looking ahead, AMISOM will be complementing its military operations with the completion of Quick Impact Projects (QIPs) supported with funding from the United Nations Trust Fund for AMISOM. The QIPs are mainly interventions prioritized by the local communities and the Government, especially in the areas of education and community infrastructure development. In this regard, AMISOM has commissioned local contractors who are currently renovating two schools and a bridge. When completed, the schools are expected to cater for about 900 students. The rehabilitation of a local bridge, which links different clans, will contribute to local reconciliation efforts, as well as boost economic development between the two concerned communities.

18. During the reporting period, the FGS adopted the Post-Transition Human Rights Roadmap for Somalia for the period 2013-2015. On 24 September 2013, the SRCC, together with the United Nations Secretary-General's Special Representative for Somalia, Mr. Nicholas Kay, former Prime Minister Abdi Farah Shirdon, the Independent Expert on the Situation of Human Rights in Somalia, Dr. Shamsul Bari, and four local Non-Governmental Organizations (NGOs), participated in the High-level Stand-Alone Interactive Dialogue on Somalia at the Human Rights Council in Geneva, mainly to discuss the implementation of the Roadmap.

19. In line with the United Nations Security Council resolutions regarding implementation of the United Nations Secretary-General's Human Rights Due Diligence Policy (HRDDP) in Somalia, AMISOM is working closely with the United Nations Assistance Mission in Somalia (UNSOM) and the United Nations Support Office to AMISOM (UNSOA). In this regard, on 16 October 2013, a joint strategy was agreed upon between UNSOM, UNSOA and AMISOM, and a Joint Working Group was established. In view of the need to enhance adherence to the HRDDP, AMISOM, working with UNSOA and UNSOM Human Rights Unit, conducted a training workshop on International Human Rights Standards for the Police Component of AMISOM. Thirty (30) officers drawn from the FPUs and IPOs, who are trainers and mentors to the Somalia Police Force (SPF), benefited from the one-week training in Kampala, in November 2013.

20. The AU Commission is continuing its efforts to encourage initiatives to develop relevant strategies for AU mandated Peace Support Operations (PSOs), using gender mainstreaming as a tool in streamlining and aligning functions, procedures and practices of current and future PSOs towards robust gender considerations. From 9 to 11 November 2013, the Commission convened a workshop that brought together participants from the AU, the United Nations and other partners, in Nairobi. The aim of the workshop was to undertake a comprehensive reflection on the development of an AMISOM-specific strategy that addresses the critical gender gaps in the Mission and to outline specific strategic and operational interventions to address AMISOM internal and external gender concerns. The main output of the workshop was the development of an AMISOM-specific Gender Mainstreaming Strategy. This Strategy aims at building gender competence within AMISOM through the development of appropriate capacity-building and organizational initiatives, integrating a gender dimension into AMISOM's policies, programming and operations through identifying and addressing key gender concerns, and increasing communication and partnership by strengthening stakeholder collaboration and coordination on gender, peace and security in AMISOM.

21. In order to mainstream protection of civilians' considerations into the operations of AMISOM, the Commission developed an AMISOM Protection of Civilians (PoC) Strategy, which was approved in May 2013. In order to implement the policy, the Commission convened a workshop, in Nairobi, from 12 to 13 November 2013, to develop an implementation plan, as well as provide guidance for its implementation and compliance by AMISOM. The workshop, which drew participants from AMISOM civilian, military and police components, the Commission, the United Nations (MONUSCO, UNAMID, United Nations Mission in the Republic of South Sudan-UNMISS, United Nations Department of Peacekeeping Operations-UNDPKO, UNSOM, UNSOA) and other partners, provided a platform for discussions on protection threats and vulnerabilities in Somalia and the protection activities undertaken by AMISOM and partners.

22. The implementation plan agreed upon is based on the two PoC strategic objectives of the Mission and the tiered approach outlined in the AU draft PoC Guidelines for Peace Support Operations (PSOs) and will be implementable by 2014, including through the establishment and operationalization of the Civilian Casualty Tracking, Analysis and Response Cell (CCTARC) and adherence to the United Nations Human Rights due Diligence Policy (HRDDP). The workshop also

noted that AMISOM requires training and additional financial and human resources to effectively implement the plan.

IV. Implementation of United Nations Security Council resolution 2124 (2013)

23. From 26 August to 6 September 2013, the AU and the United Nations, with the participation of a number of other stakeholders, undertook a Joint Review of the AMISOM and a benchmarking exercise regarding the possible deployment of a United Nations operation. The Review was undertaken against the backdrop of a halt in the military operations against Al Shabaab, due to the lack of force enablers and multipliers, as well as the failure to achieve the envisaged level of force generation for the SNA. This, coupled with Al Shabaab's deliberate shift towards asymmetrical warfare since May 2013, led to the deterioration of the security situation.

24. Concluding that conditions were not yet conducive for the deployment of a United Nations operation, the Review recommended the provision of additional capabilities to AMISOM and support to the SNA. The PSC endorsed these recommendations on 10 October 2013, and requested the United Nations Security Council to adopt and authorize measures necessary for the implementation of the recommendations of the Review.

25. On 12 November 2013, the United Nations Security Council adopted resolution 2124 (2013) authorizing an increase in the strength of AMISOM, from 17,731 to 22,126 uniformed personnel, as well as support to the SNA. On 26 November 2013, in Addis Ababa, the Commission convened a meeting of the Military Operations Coordination Committee (MOCC), to exchange views on the situation on the ground and agree on the best ways forward to generate additional forces for AMISOM and develop a Revised Concept of Operations (CONOPS) for the coming phase of military operations in Somalia in line with United Nations Security Council resolution 2124 (2013). From 9 to 18 December 2013, in Nairobi, the Commission convened a planning session to finalize the revised CONOPS, which was endorsed by the PSC on 21 January 2014.

26. Following the offer of the Government of Ethiopia to provide the required military personnel, along with equipment, to enable AMISOM to reach its newly authorized strength, and the acceptance of the same, with effect from 1 January 2014, the Commission has been working closely with the United Nations and other partners to finalize the integration of the Ethiopian National Defence Force (ENDF) into AMISOM, including through the necessary predeployment and verification exercises. On 22 January 2014, the AMISOM, Force Commander presided over a Flag Ceremony in Baidoa to formally welcome the 4,395 troops from the ENDF as the sixth military contingent of AMISOM.

V. United Nations logistical support

27. UNSOA continued to facilitate the rotation and deployment of troops, police officers and military staff officers in the Mission in accordance with its mandate. During the reporting period, UNSOA facilitated the rotation of 1,700 Burundian

troops, 2,930 Ugandan troops, and 3,810 Kenyan troops in and out of the Mission area. The joint verification exercises were conducted with the AU during the rotations. In addition, a total of 37 AMISOM headquarters staff officers were rotated out, while 34 staff officers were deployed in Mogadishu. To strengthen coordination between AMISOM and UNSOA, the monthly Senior Mission Leadership Meeting was convened on 21 November 2013 to discuss strategic and operational issues affecting the delivery of the United Nations support package to AMISOM. In terms of the support delivery, a revitalized Joint Support Operations Center (JSOC), under AMISOM control, effectively coordinates the planning and delivery of all logistic support to AMISOM uniformed personnel deployed in the four sectors and to AMISOM civilian personnel deployed in Mogadishu.

28. During the period under review, UNSOA moved 14 Armoured Personnel Carriers (APCs) to Mogadishu. These APCs arrived in Mogadishu on 4 November 2013, and are being used by AMISOM Mission headquarters to provide security to the AMISOM Heavy Transport and Engineering Units and AMISOM Mogadishu International Airport (MIA) camp security tasks.

29. The aviation support to AMISOM was enhanced with the provision of one additional Mi-8 helicopter to enhance Medevac and supply of rations in the sectors. The Beechcraft 1900 was also replaced by a higher capacity Dash-7 fixed wings aircraft to handle the increasing passenger and cargo load. Following the offer from the Government of the Republic of Chad to supply AMISOM with combat and utility helicopters, a joint AU-UNSOA technical team travelled to Chad from 8 to 14 October 2013 to undertake the required assessment.

30. During the period in review, UNSOA commenced the expansion of UNSOM/UNSOA camp in Mogadishu, to cater for an additional 90 bed spaces, and the construction of an AMISOM Sector Hub, prefabs and parking lot in Baidoa. The construction of a Sector Hub in Beledweyne also started. In Baledogle, UNSOA commenced the construction of the Aviation Hub and hangers. UNSOA also continued to provide Communications and Information Technology Services (CITS) support to AMISOM. This included the provision of 200 phones for welfare calling project from the Trust Fund in support of AMISOM. Slow Internet connectivity remains a major challenge in CITS support. The UNSOA-managed AU-United Nations Information Support Team (IST) established permanent presence in all the AMISOM four Sectors in south-central Somalia, in order to improve on the provision of strategic communication support to AMISOM and UNSOM.

31. UNSOA continued to provide medical support to AMISOM, carrying out 35 medical evacuation, transfer, redeployment, and repatriation flights, involving 65 AMISOM personnel. The ENDF contingent is expected to provide two (2) level 2 hospitals at Baidoa and Beletwenye, and AMISOM is working closely with UNSOA to develop the necessary infrastructure for these facilities.

VI. Observations

32. Overall, the period under review has been marked by further progress in the peace and reconciliation process in Somalia. These developments should be welcomed and the Somali stakeholders should be encouraged to pursue and intensify their efforts and to put the interest of their country above any other considerations.

33. The AU is grateful to the United Nations and the other international partners, including the European Union (EU), for their continued support to the AU's efforts, and in particular to AMISOM. The adoption of resolution 2124 (2013) marked an important step both in the enhancement of AMISOM and that of the SNSF. The Commission has swiftly taken the necessary steps to follow up on the relevant provisions of the resolution. At the same time, it is critical that donors generously provide funds to the Trust Fund established to support the SNA, as its involvement is critical to the overall success of the military operations in Somalia.

34. The international community should continue to express appreciation to the AMISOM troop and police contributing countries for their continued contribution to the promotion of peace, security and stability in Somalia, as well as to the IGAD countries for their continued engagement.